

**MONDAY, MAY 8, 2017**

**THIRTY-SIXTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Dustin Wallace, Crossroads Community Church, Newport, TN.

Representative Faison led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 89

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Windle; active military duty

Representative Daniel; personal

Representative DeBerry; business

Representative Ramsey; personal

**PRESENT IN CHAMBER**

Reps. Holt, McDaniel and Lynn were recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 561** Reps. Gilmore, Clemmons, K. Brooks and Pody as prime sponsors.

**House Joint Resolution No. 561** Rep. Doss as Second prime sponsor.

**House Joint Resolution No. 562** Reps. Clemmons and Gilmore as prime sponsors.

**House Bill No. 392** Reps. Favors, Gilmore, Hardaway and Sherrell as prime sponsors.

**House Bill No. 432** Reps. Parkinson, M. White and Powell as prime sponsors.

**House Bill No. 1173** Reps. Hardaway, Stewart, Sanderson, Terry, Akbari, Turner, Sherrell, Shaw, Favors, Camper and Eldridge as prime sponsors.

**House Bill No. 1209** Reps. Favors and Turner as prime sponsors.

**House Bill No. 1369** Reps. Clemmons, Gilmore and Stewart as prime sponsors.

**MESSAGE FROM THE SENATE**  
**May 8, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 408, 409, 410, 411, 412, 413, 414, 415, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440 and 454; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 408** -- Memorials, Recognition - Wally's, 80th anniversary. by \*Watson.

**Senate Joint Resolution No. 409** -- Memorials, Recognition - MoonPie, 100th anniversary. by \*Watson.

**Senate Joint Resolution No. 410** -- Memorials, Recognition - Bethpage Elementary School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 411** -- Memorials, Recognition - Jackson Elementary School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 412** -- Memorials, Recognition - Brentwood Middle School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 413** -- Memorials, Recognition - Glendale Elementary School, National Blue Ribbon School. by \*Gresham.

1880

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 414** -- Memorials, Recognition - Walnut Grove Elementary School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 415** -- Memorials, Recognition - John P. Freeman Optional School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 417** -- Memorials, Interns - Myah Arnelle Revis. by \*Kelsey.

**Senate Joint Resolution No. 418** -- Memorials, Recognition - Westvue Church of Christ, 50th anniversary. by \*Tracy.

**Senate Joint Resolution No. 419** -- Memorials, Recognition - Council for Alcohol and Drug Abuse Services, Inc. by \*Gardenhire.

**Senate Joint Resolution No. 420** -- Memorials, Death - Sadie Olene Harbin. by \*Gresham.

**Senate Joint Resolution No. 421** -- Memorials, Death - Robert Wesley Wilson. by \*Gresham.

**Senate Joint Resolution No. 422** -- Memorials, Death - Maxwell D. Miller. by \*Gresham.

**Senate Joint Resolution No. 423** -- Memorials, Academic Achievement - Brandon Keith Stubbs, Valedictorian, Cumberland County High School. by \*Bailey.

**Senate Joint Resolution No. 424** -- Memorials, Academic Achievement - Sydney Fasha Clark, Salutatorian, Cumberland County High School. by \*Bailey.

**Senate Joint Resolution No. 425** -- Memorials, Academic Achievement - Hayden Welch, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 426** -- Memorials, Academic Achievement - Megan Wilson, Valedictorian, White County High School. by \*Bailey.

**Senate Joint Resolution No. 427** -- Memorials, Academic Achievement - Saylor Wilson, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 428** -- Memorials, Academic Achievement - Jacklyn Bryant, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 429** -- Memorials, Academic Achievement - Clyde Whitaker, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 430** -- Memorials, Academic Achievement - Trevathan Johnson, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 431** -- Memorials, Academic Achievement - Spencer Gooch, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 432** -- Memorials, Academic Achievement - Malik Murray, Salutatorian, White County High School. by \*Bailey.

**Senate Joint Resolution No. 433** -- Memorials, Academic Achievement - Kayleigh Bray, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 434** -- Memorials, Academic Achievement - Grayson Farris, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 435** -- Memorials, Recognition - Dickson Middle School. by \*Roberts.

**Senate Joint Resolution No. 436** -- Memorials, Death - Ralph Brown. by \*Johnson.

**Senate Joint Resolution No. 437** -- Memorials, Professional Achievement - David Shannon, president of Freed-Hardeman University. by \*Beavers.

**Senate Joint Resolution No. 438** -- Memorials, Heroism - Specialist Jeremy Tomlin, U.S. Army. by \*Ketron.

**Senate Joint Resolution No. 439** -- Memorials, Interns - Christian Jade Cooper. by \*McNally.

**Senate Joint Resolution No. 440** -- Memorials, Interns - Carter Phillips. by \*McNally.

**Senate Joint Resolution No. 454** -- Memorials, Retirement - John J. Sheridan. by \*Massey.

## **PERSONAL ORDERS**

### **RECOGNITION IN THE WELL**

Representative Whitson was recognized in the Well to recognize June 2017 as "Pets Matter Month" in Tennessee.

### **RESOLUTION READ**

The Clerk read House Joint Resolution No. 528, adopted May 5, 2017.

**House Joint Resolution No. 528** -- Memorials, Recognition - Celebrates June 2017 as "Pets Matter Month" in Tennessee. by \*Harwell, \*Whitson, \*Sargent, \*Casada, \*Howell.

### **RECOGNITION IN THE WELL**

Representative Pody was recognized in the Well to introduce Irlene Mandrell who sang "We Will Stand."

**STATEMENT OF REPRESENTATIVE SANDERSON  
ON SENATE BILL NO. 1087  
May 8, 2017**

Last Monday night, I presented a bill, Senate Bill No. 1087. Chairman Marsh asked me a question and I misspoke. He asked me, "if Municipal Electric Authorities could offer broadband," and to Chairman Marsh I said "no". In fact, they can just like the Electric Cooperatives as long as it is in their footprint.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for May 9, 2017:

**House Resolution No. 168** -- Memorials, Retirement - Chief Rick Chandler, Dickson Police Department. by \*Littleton.

**House Resolution No. 169** -- Memorials, Recognition - James Lee Holland. by \*Keisling.

**House Joint Resolution No. 563** -- Memorials, Public Service - Bradley County Sheriff's Office. by \*Brooks K.

**House Joint Resolution No. 564** -- Memorials, Academic Achievement - Abby Anderson, Valedictorian, Franklin Road Christian School. by \*Rudd.

**House Joint Resolution No. 565** -- Memorials, Academic Achievement - Christopher Montgomery, Salutatorian, Franklin Road Christian School. by \*Rudd.

**House Joint Resolution No. 566** -- Memorials, Recognition - S&S Wholesale Tire, 30th anniversary. by \*Matlock.

**House Joint Resolution No. 567** -- Memorials, Recognition - WCMT-AM/FM (Martin) and WCDZ (Dresden), 60th anniversary. by \*Holt, \*Sanderson.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for May 9, 2017:

**Senate Joint Resolution No. 408** -- Memorials, Recognition - Wally's, 80th anniversary. by \*Watson, \*Gardenhire.

**Senate Joint Resolution No. 409** -- Memorials, Recognition - MoonPie, 100th anniversary. by \*Watson, \*Gardenhire.

**Senate Joint Resolution No. 410** -- Memorials, Recognition - Bethpage Elementary School, National Blue Ribbon School. by \*Gresham.

**MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 411** -- Memorials, Recognition - Jackson Elementary School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 412** -- Memorials, Recognition - Brentwood Middle School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 413** -- Memorials, Recognition - Glendale Elementary School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 414** -- Memorials, Recognition - Walnut Grove Elementary School, National Blue Ribbon School. by \*Gresham.

**Senate Joint Resolution No. 415** -- Memorials, Recognition - John P. Freeman Optional School, National Blue Ribbon School. by \*Gresham, \*Harris.

**Senate Joint Resolution No. 417** -- Memorials, Interns - Myah Arnelle Revis. by \*Kelsey.

**Senate Joint Resolution No. 418** -- Memorials, Recognition - Westvue Church of Christ, 50th anniversary. by \*Tracy.

**Senate Joint Resolution No. 419** -- Memorials, Recognition - Council for Alcohol and Drug Abuse Services, Inc. by \*Gardenhire.

**Senate Joint Resolution No. 420** -- Memorials, Death - Sadie Olene Harbin. by \*Gresham.

**Senate Joint Resolution No. 421** -- Memorials, Death - Robert Wesley Wilson. by \*Gresham.

**Senate Joint Resolution No. 422** -- Memorials, Death - Maxwell D. Miller. by \*Gresham.

**Senate Joint Resolution No. 423** -- Memorials, Academic Achievement - Brandon Keith Stubbs, Valedictorian, Cumberland County High School. by \*Bailey.

**Senate Joint Resolution No. 424** -- Memorials, Academic Achievement - Sydney Fasha Clark, Salutatorian, Cumberland County High School. by \*Bailey.

**Senate Joint Resolution No. 425** -- Memorials, Academic Achievement - Hayden Welch, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 426** -- Memorials, Academic Achievement - Megan Wilson, Valedictorian, White County High School. by \*Bailey.

**Senate Joint Resolution No. 427** -- Memorials, Academic Achievement - Saylor Wilson, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 428** -- Memorials, Academic Achievement - Jacklyn Bryant, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 429** -- Memorials, Academic Achievement - Clyde Whitaker, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 430** -- Memorials, Academic Achievement - Trevathan Johnson, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 431** -- Memorials, Academic Achievement - Spencer Gooch, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 432** -- Memorials, Academic Achievement - Malik Murray, Salutatorian, White County High School. by \*Bailey.

**Senate Joint Resolution No. 433** -- Memorials, Academic Achievement - Kayleigh Bray, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 434** -- Memorials, Academic Achievement - Grayson Farris, Top Ten Senior, White County High School. by \*Bailey.

**Senate Joint Resolution No. 435** -- Memorials, Recognition - Dickson Middle School. by \*Roberts.

**Senate Joint Resolution No. 436** -- Memorials, Death - Ralph Brown. by \*Johnson.

**Senate Joint Resolution No. 437** -- Memorials, Professional Achievement - David Shannon, president of Freed-Hardeman University. by \*Beavers.

**Senate Joint Resolution No. 438** -- Memorials, Heroism - Specialist Jeremy Tomlin, U.S. Army. by \*Ketron, \*Tracy.

**Senate Joint Resolution No. 439** -- Memorials, Interns - Christian Jade Cooper. by \*McNally.

**Senate Joint Resolution No. 440** -- Memorials, Interns - Carter Phillips. by \*McNally.

**Senate Joint Resolution No. 454** -- Memorials, Retirement - John J. Sheridan. by \*Massey, \*Overbey.

#### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1454** -- Hornsby -- House Local Government Committee

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **May 8, 2017**, reported the following:

**FINANCE, WAYS AND MEANS COMMITTEE**

The Finance, Ways & Means Committee recommended for passage: House Bills Nos. 418, 1412, 408, 1402, 333, 397, 452, 1276, 1041, 753, 1353, 778, 107, 466, 158, 93, 1062, 484, 368, 402, 403, 1221, 553, 1027 and 329, also House Bills Nos. 494, 420, 483, 1381, 810, 535, 684, 331, 910, 841 and 980 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS COMMITTEE**

The Government Operations Committee recommended for passage: House Bill No. 869. Under the rules, each was transmitted to the Calendar and Rules Committee.

**HEALTH COMMITTEE**

The Health Committee recommended for passage: Senate Joint Resolution No. 250. Under the rules, each was transmitted to the Calendar and Rules Committee.

**LOCAL GOVERNMENT COMMITTEE**

The Local Government Committee recommended for passage: House Bills Nos. 1453 and 1454. Under the rules, each was transmitted to the Calendar and Rules Committee.

**CONSENT CALENDAR**

**House Resolution No. 167** -- Memorials, Death - Judge Duane Sidney Snodgrass. by \*Hulsey.

**House Joint Resolution No. 559** -- Memorials, Recognition - Discovery Center, 30th anniversary. by \*White D, \*Terry, \*Rudd, \*Sparks.

**House Joint Resolution No. 560** -- Memorials, Recognition - Morristown First Presbyterian Church, 150th anniversary. by \*Goins.

**House Joint Resolution No. 561** -- Memorials, Professional Achievement - Jack Lowery, President of Tennessee Road Builders Association. by \*Lynn.

**House Joint Resolution No. 562** -- Memorials, Recognition - Plaza Mariachi Music City, Grand Opening. by \*Powell.

**Senate Joint Resolution No. 449** -- Memorials, Death - Kathleen Starnes. by \*Dickerson, \*Beavers, \*Bowling, \*Crowe, \*Gardenhire, \*Haile, \*Jackson, \*Johnson, \*Kelsey, \*Roberts, \*Southerland, \*Stevens, \*Tracy, \*Watson, \*Yager, \*McNally, \*Norris.



## MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Lynn moved that all members voting aye on House Joint Resolution No. 561 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 85  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary -- 85

A motion to reconsider was tabled.

### REGULAR CALENDAR

**House Bill No. 1173** -- Fines and Penalties - As introduced, requires the clerk of court to notify the commissioner of safety for purposes of license revocation within 20 days, rather than 30 days, of an offender failing to pay litigation taxes, court costs, and fines. - Amends TCA Title 40, Chapter 24. by \*Faison, \*Daniel, \*Carter, \*Sparks, \*Beck, \*Butt, \*Jernigan, \*Brooks H. (\*SB802 by \*Dickerson, \*Yarbro)

On motion, House Bill No. 1173 was made to conform with **Senate Bill No. 802**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 802 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Farmer moved that Civil Justice Committee Amendment No. 2 be withdrawn, which motion prevailed.

**MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Faison moved that **Senate Bill No. 802** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

**House Bill No. 1369** -- Taxes, Ad Valorem - As introduced, requires the state board of equalization to include a statement of the reason for its initial determination denying a property tax exemption for property of any religious, charitable, scientific, or nonprofit educational institution. - Amends TCA Section 67-5-212. by \*Sargent. (\*SB786 by \*Dickerson, \*Yarbro)

On motion, House Bill No. 1369 was made to conform with **Senate Bill No. 786**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 786 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 786** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 87

A motion to reconsider was tabled.

**MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Bill No. 1370** -- Medical Occupations - As introduced, enacts the "Surgical Assistant Practice Act." - Amends TCA Title 63 and Title 68. by \*Sargent. (\*SB789 by \*Dickerson)

On motion, House Bill No. 1370 was made to conform with **Senate Bill No. 789**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 789 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 789** be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 88 |
| Noes.....  | 0  |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

**House Bill No. 1379** -- Local Education Agencies - As introduced, increases from \$10,000 to \$25,000 the threshold at which an LEA must seek competitive bids for purchases; increases from \$10,000 to \$100,000 the threshold if the LEA has a separate purchasing division; changes solicitation requirements for bids above the threshold. - Amends TCA Section 12-3-1212 and Title 49, Chapter 2. by \*Sargent. (\*SB897 by \*Johnson)

On motion, House Bill No. 1379 was made to conform with **Senate Bill No. 897**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 897 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

**MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Sargent moved that **Senate Bill No. 897** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 81  
Noes..... 8

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Thompson, Tillis, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

Representatives voting no were: Butt, Clemmons, Holt, Pody, Sexton J., Stewart, Terry, Towns -- 8

A motion to reconsider was tabled.

**\*House Bill No. 301** -- Taxes - As introduced, includes all assessments, monetary charges, and other obligations of any designation imposed by another state or country on Tennessee insurance companies in those states for purposes of calculating the retaliatory tax imposed by this state on foreign insurance companies doing business in this state. - Amends TCA Title 9 and Title 56. by \*Hawk, \*Casada, \*Sargent. (SB1189 by \*Norris, \*Johnson)

On motion, House Bill No. 301 was made to conform with **Senate Bill No. 1189**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 1189 be passed on third and final consideration.

Rep. Travis moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved that **Senate Bill No. 1189** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry,

Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

**House Bill No. 261** -- Administrative Procedure (UAPA) - As introduced, continues permanent rules filed with the secretary of state after January 1, 2016; schedules auctioneer commission rule defining "timed listings" for purposes of online auctions to expire on the effective date of the act. by \*Faison, \*Ragan. (\*SB53 by \*Bell)

Rep. Faison moved that House Bill No. 261 be passed on third and final consideration.

Rep. Goins moved adoption of House Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 261 by deleting subsection (c) in Section 1 and substituting instead the following:

(c) Notwithstanding subsection (a) or title 4, chapter 5, part 2, the following rules shall expire on the effective date of this act:

(1) Tennessee Auctioneer Commission Rule 0160-01-.28, relative to online auctions, and filed in the office of secretary of state on September 6, 2016; and

(2) Tennessee Department of Revenue Rule 1320-05-01, relative to state sales and use tax rules, and filed in the office of secretary of state on October 3, 2016.

Rep. Sargent moved that House Amendment No. 1 be tabled, which motion failed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 32 |
| Noes ..... | 55 |

Representatives voting aye were: Brooks H., Carr, Casada, Doss, Dunn, Eldridge, Farmer, Favors, Forgety, Gant, Gravitt, Halford, Hawk, Hazlewood, Hicks, Holsclaw, Johnson, Keisling, Lamberth, Lynn, Marsh, Matlock, McCormick, McDaniel, Sargent, Smith, Swann, Tillis, White M., Whitson, Williams, Wirgau -- 32

Representatives voting no were: Akbari, Alexander, Beck, Butt, Byrd, Calfee, Camper, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Faison, Goins, Hardaway, Hill M., Hill T., Holt, Hulse, Jernigan, Jones, Kane, Kumar, Littleton, Lollar, Love, Matheny, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Terry, Thompson, Towns, Turner, Van Huss, Weaver, White D., Zachary -- 55

## MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Holt moved the previous question on House Amendment No. 1, which motion failed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 51 |
| Noes ..... | 39 |

Representatives voting aye were: Alexander, Brooks K., Butt, Calfee, Casada, Clemmons, Crawford, Doss, Farmer, Forgety, Gant, Gilmore, Goins, Hardaway, Hazlewood, Hill M., Hill T., Holt, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Love, Matheny, Miller, Mitchell, Moody, Pitts, Pody, Powell, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton C., Shaw, Sherrell, Sparks, Staples, Stewart, Terry, Thompson, Travis, Van Huss, Weaver, White D., Zachary -- 51

Representatives voting no were: Akbari, Beck, Brooks H., Byrd, Camper, Carr, Carter, Coley, Cooper, Curcio, Dunn, Eldridge, Faison, Gravitt, Halford, Hawk, Hicks, Holsclaw, Hulsey, Keisling, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Powers, Sargent, Sexton J., Smith, Swann, Tillis, Towns, Turner, White M., Whitson, Williams, Wirgau, Madam Speaker Harwell -- 39

### JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Sargent voted "aye" on the motion to table House Amendment No. 1 to **House Bill No. 261**.

### REGULAR CALENDAR, CONTINUED

Rep. Littleton moved the previous question on House Amendment No. 1, which motion prevailed.

On motion, House Amendment No. 1 was adopted by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 69 |
| Noes ..... | 20 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Goins, Hardaway, Hicks, Hill M., Hill T., Holt, Hulsey, Jernigan, Jones, Kane, Kumar, Littleton, Lollar, Love, Lynn, Matheny, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., Wirgau, Zachary -- 69

Representatives voting no were: Brooks H., Carr, Gravitt, Halford, Hawk, Hazlewood, Holsclaw, Johnson, Keisling, Lamberth, Marsh, Matlock, McCormick, McDaniel, Sargent, Smith, Swann, White M., Whitson, Williams -- 20

**BILL RE-REFERRED**

Pursuant to **Rule No. 72**, **House Bill No. 261** was re-referred to the Finance, Ways & Means Committee.

**PRESENT IN CHAMBER**

Rep. Parkinson was recorded as being present in the Chamber.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on Amendment No. 1 to **House Bill No. 261** and have this statement entered in the Journal: Rep. Whitson.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on Amendment No. 1 to **House Bill No. 261** and have this statement entered in the Journal: Rep. Moody.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1167** -- Eminent Domain - As introduced, requires property taken under eminent domain to be valued at highest and best use instead of fair market value; removes industrial park exception to public use requirement; requires costs of appraisal to always be taxed to the condemning body. - Amends TCA Title 7, Chapter 55; Title 13; Title 29, Chapter 17 and Title 29, Chapter 16. by \*Forgety, \*Farmer. (SB1184 by \*Niceley, \*Bowling, \*Gresham)

Further consideration of House Bill No. 1167, previously considered on May 3, 2017, at which time it was reset for today's Calendar.

On motion, House Bill No. 1167 was made to conform with **Senate Bill No. 1184**; the Senate Bill was substituted for the House Bill.

Rep. Farmer moved that Senate Bill No. 1184 be passed on third and final consideration.

Rep. Moody moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Farmer moved that House Amendment No. 2 be withdrawn, which motion prevailed.

**MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Farmer moved that **Senate Bill No. 1184** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 82  
Noes..... 2

Representatives voting aye were: Akbari, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Parkinson, Pody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Swann, Terry, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 82

Representatives voting no were: Powell, Thompson -- 2

A motion to reconsider was tabled.

**\*House Bill No. 1259** -- General Assembly - As introduced, requires the office of legislative administration to offer for sale to members of the general assembly decommissioned electronic equipment of the general assembly prior to disposing of the equipment; requires the office to offer former members upon separation from office the option to purchase their electronic equipment. - Amends TCA Title 3, Chapter 13 and Title 12, Chapter 2. by \*Towns. (SB1123 by \*Kyle)

Further consideration of House Bill No. 1259, previously considered on the Consent Calendar for May 4, 2017, at which time it was objected to and reset for today's Calendar.

Rep. Towns moved that House Bill No. 1259 be reset for the next Regular Calendar, which motion prevailed.

**House Resolution No. 127** -- Memorials, Recognition - Kay West. by \*Clemmons.

Further consideration of House Resolution No. 127, previously considered on the Consent Calendar for May 4, 2017, at which time it was objected to and reset for today's Calendar

Rep. Clemmons moved adoption of **House Resolution No. 127**, which motion failed by the following vote:

Ayes ..... 25  
Noes..... 48  
Present and not voting..... 7

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Cooper, Faison, Favors, Fitzhugh, Hardaway, Jernigan, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Sparks, Staples, Stewart, Swann, Thompson, Towns, Travis, Turner -- 25

1894

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.



Representatives voting no were: Alexander, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Crawford, Curcio, Doss, Eldridge, Farmer, Forgety, Gant, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Johnson, Kane, Keisling, Lamberth, Littleton, Lynn, Marsh, Matheny, Matlock, Moody, Pody, Powers, Reedy, Rogers, Sargent, Sexton C., Sexton J., Sherrell, Smith, Terry, Tillis, Weaver, White D., Whitson, Williams -- 48

Representatives present and not voting were: Brooks H., Coley, Dunn, Holt, Hulse, White M., Madam Speaker Harwell -- 7

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on **House Resolution No. 127** and have this statement entered in the Journal: Reps. Faison, Sanderson and Travis.

### **REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 392** -- School Transportation - As introduced, authorizes LEAs, directly or by contract, to install, operate, or maintain cameras on the outside of school buses to record vehicles unlawfully passing stopped school buses; allows persons cited to pay the fine out of court; imposes additional penalties that apply under certain circumstances. - Amends TCA Title 49, Chapter 6, Part 21 and Title 55, Chapter 8. by \*Brooks K, \*Howell. (SB462 by \*Bell)

Further consideration of House Bill No. 392, previously considered on May 4, 2017, at which time it was reset for today's Calendar.

Rep. K. Brooks moved that House Bill No. 392 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND House Bill No. 392 by deleting subdivision (c)(6)(B) in SECTION 1 and substituting instead the following language:

(B) Twenty percent (20%) to the law enforcement agency for the county or municipality in which the violation occurred to be used for the purpose of operating the program;

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

## MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. K. Brooks moved that **House Bill No. 392**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 81 |
| Noes.....                   | 2  |
| Present and not voting..... | 2  |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulse, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Stewart, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 81

Representatives voting no were: Holt, Terry -- 2

Representatives present and not voting were: Byrd, Kane -- 2

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **House Bill No. 392** and have this statement entered in the Journal: Rep. Byrd.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 1209** -- Controlled Substances - As introduced, expands the immunity from arrest, charge, or prosecution to persons seeking medical assistance for drug overdoses to apply to any overdose instead of only a person's first drug overdose. - Amends TCA Title 63, Chapter 1, Part 1. by \*Fitzhugh, \*Miller, \*Akbari, \*Camper, \*Towns, \*Staples, \*Hardaway, \*Clemmons, \*Stewart, \*Powell. (\*SB669 by \*Harris, \*Dickerson, \*Yarbro)

Further consideration of House Bill No. 1209, previously considered on May 4, 2017, at which time the House adopted Amendment No. 2, withdrew Amendment No. 1, and it was reset for today's Calendar.

Rep. Fitzhugh moved that **House Bill No. 1209**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 84 |
| Noes.....  | 2  |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss,

Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, Miller, Mitchell, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 84

Representatives voting no were: Holt, Moody -- 2

A motion to reconsider was tabled.

**\*House Bill No. 1020** -- Real Property - As introduced, enacts the "Short-Term Rental Unit Act" and revises other provisions concerning short-term rentals, including taxation. - Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68. by \*Sexton C. (SB1086 by \*Stevens)

Further consideration of House Bill No. 1020, previously considered on May 5, 2017, at which time the House adopted Amendments Nos. 1 and 3, withdrew Amendment No. 2, and it was reset for today's Calendar.

Rep. C. Sexton moved that House Bill No. 1020 be passed on third and final consideration.

Rep. Wirgau moved that House Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Miller moved that House Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Carr moved adoption of House Amendment No. 6 as follows:

**Amendment No. 6**

AMEND House Bill No. 1020 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_.

(a) An online short-term rental unit marketplace must provide:

(1) Upon request by a local taxing authority, data relevant to taxes, fees, or other assessments that may be owed on a short-term rental unit transaction to the local taxing authority; and

(2) On an annual basis, a list of all short-term rental units being offered within the jurisdiction of a taxing authority having jurisdiction over the property being used a short-term rental unit.

(b) Information provided pursuant to subsection (a) shall be provided to the local taxing authority having jurisdiction over property used as a short-term rental unit that is listed on a marketplace's digital platform or otherwise offered for rent by the marketplace.

(c) The terms "short-term rental unit," "online short-term rental unit marketplace," and "short-term rental unit transaction" are as defined in § 67-11-101.

Rep. C. Sexton moved that House Amendment No. 6 be tabled, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 47 |
| Noes.....                   | 31 |
| Present and not voting..... | 3  |

Representatives voting aye were: Alexander, Beck, Brooks H., Butt, Calfee, Carter, Casada, Clemmons, Cooper, Curcio, Doss, Dunn, Eldridge, Farmer, Favors, Forgety, Gant, Goins, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Jones, Kumar, Lamberth, Marsh, Matheny, McCormick, McDaniel, Miller, Moody, Powers, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sparks, Terry, Tillis, Weaver, Williams, Wirgau -- 47

Representatives voting no were: Brooks K., Byrd, Carr, Coley, Crawford, Faison, Hardaway, Hazlewood, Hulsey, Jernigan, Littleton, Lollar, Mitchell, Parkinson, Pitts, Pody, Sexton J., Sherrell, Smith, Staples, Stewart, Swann, Thompson, Towns, Travis, Turner, Van Huss, White D., Whitson, Zachary, Madam Speaker Harwell -- 31

Representatives present and not voting were: Akbari, Powell, White M. -- 3

Rep. Carr requested that House Amendment No. 7 be placed at the heel of the amendments.

Rep. Gravitt requested that House Amendment No. 8 be placed at the heel of the amendments.

Rep. Clemmons moved adoption of House Amendment No. 9 as follows:

#### **Amendment No. 9**

AMEND House Bill No. 1020 by deleting the preamble.

**AND FURTHER AMEND** by deleting 66-38-107 in Section 1 and substituting instead the following:

#### **66-38-107.**

This chapter applies only in counties having a population, according to the 2010 federal census or any subsequent federal census, of:

| <u>not less than:</u> | <u>nor more than:</u> |
|-----------------------|-----------------------|
| 5,500                 | 5,600                 |
| 16,400                | 16,500                |
| 28,500                | 28,600                |
| 31,701                | 31,807                |
| 35,000                | 35,100                |
| 32,301                | 32,400                |
| 49,676                | 49,800                |
| 56,000                | 56,100                |
| 72,300                | 72,400                |

Rep. C. Sexton moved that House Amendment No. 9 be tabled, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 60 |
| Noes.....                   | 24 |
| Present and not voting..... | 3  |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Crawford, Curcio, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McDaniel, Moody, Pody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Weaver, White D., Williams, Wirgau, Zachary -- 60

Representatives voting no were: Akbari, Beck, Camper, Carr, Clemmons, Coley, Cooper, Faison, Favors, Fitzhugh, Hardaway, Jernigan, Jones, Love, Lynn, Miller, Mitchell, Parkinson, Pitts, Stewart, Swann, Thompson, Towns, Turner -- 24

Representatives present and not voting were: Powell, White M., Madam Speaker Harwell -- 3

Rep. Wirgau moved adoption of House Amendment No. 10 as follows:

**Amendment No. 10**

AMEND House Bill No. 1020 by deleting all language after the caption and substituting instead the following:

WHEREAS, the department of tourist development ranks tourism as the second largest of Tennessee's industries, with an economic impact of over \$18 billion to the state, generating \$1.6 billion in tax revenue and over 157,000 jobs; and

WHEREAS, there has been significant growth in the economic impact of tourism in Tennessee that has exceeded the national growth level. The growth has been seen in multiple areas, including a 3.7% increase in expenditures, a 6.1% increase in payroll, and a 2.9% increase in job growth; and

WHEREAS, as reported by the Tennessee Advisory Commission on Intergovernmental Relations, on average, hotel and motel lodging accounts for less than 19% of travel expenditures in Tennessee, while the remaining travel expenditures are on items such as transportation, food service, entertainment, recreation, and retail; and

WHEREAS, a Tennessee tourist's ability to find convenient, economical, and safe lodging in a city where tourism expenditures are greatest is of issue to the State, as a reduction in such lodging or over-regulation of such lodging would have a significant economic impact on other travel expenditures and the State; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, is amended by adding the following new chapter:

**66-38-101.** This chapter shall be known and may be cited as the "Short Term Rental Unit Act."

**66-38-102.** As used in this chapter:

(1) "Effectively prohibit" means to take any action by the local governing body, including a regulatory action, that, after reasonable compliance by the owner of the property, prevents the owner from using the property as a short-term rental unit;

(2) "Local governing body" means the legislative body of a municipal, metropolitan, or county government;

(3) "Local law" means an ordinance, resolution, regulation, rule, or other requirement of any type enacted, maintained, or enforced by a local governing body;

(4) "Owner-occupied property" means property that is the property owner's residential dwelling or residence, as determined pursuant to § 2-2-122, and includes all structures on the property that are otherwise a permitted use of the property;

(5) "Prohibit" means a ban or moratorium that applies to all property within a local governing body's jurisdiction or a portion of the local governing body's jurisdiction;

(6) "Residential dwelling" means a house or building used or designed to be used as an abode or home of a person, family, or household;

(7) "Short-term rental unit" means a residential dwelling, including a single-family dwelling or a unit in a multi-unit building, such as an apartment building, condominium, cooperative, or time-share, that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days; and

(8) "Short-term rental unit provider" means any person or entity engaged in renting a short-term rental unit to an occupant.

**66-38-103.**

(a) Notwithstanding any provision of this chapter or other law to the contrary:

(1) A local governing body shall not take any action that would:

(A) Prohibit or limit the use of owner-occupied property as a short-term rental unit unless the prohibition or limitation was a local law enacted prior to January 1, 2017;

(B) Effectively prohibit the use of owner-occupied property as a short-term rental unit unless the effective prohibition was a local law enacted prior to January 1, 2017; or

(C) Amend a local law described in subdivision (a)(1)(A) or (a)(1)(B) if the amendment would have the effect of expanding the prohibition, limitation, or effective prohibition, including, but not limited to, amendments that would reclassify the property's occupancy designation, reduce the number of short-term rental unit permits available to owner-occupied property owners in all or a portion of the local governing body's jurisdiction, or reduce the number of permits available to an owner-occupied property owner; and

(2) For purposes of determining land use or utility rates, when determining whether an owner-occupied property conforms to the requirements of a residential zone or residential use, a local governing body or a municipal utility shall not consider the renting of a residential dwelling as commercial activity, regardless of the term of the rental agreement. This subdivision (a)(2) shall not apply when determining classification of real property for property taxation purposes.

(b) Subsection (a) does not prohibit a local governing body from regulating property used as a short-term rental unit if the regulation does not prohibit, limit, or effectively prohibit the use of owner-occupied property as a short-term rental unit.

**66-38-104.**

(a) Notwithstanding any provision of this chapter or other law to the contrary, for purposes of property used as a residential dwelling that is not owner-occupied property, from April 1, 2017, through March 31, 2019:

(1) A local governing body shall not take any action that would:

(A) Prohibit or limit the use of property as a short-term rental unit unless the prohibition or limitation was a local law enacted prior to April 1, 2017;

(B) Effectively prohibit the use of property as a short-term rental unit unless the effective prohibition was a local law enacted prior to April 1, 2017; or

(C) Amend a local law described in subdivision (a)(1)(A) or (a)(1)(B) if the amendment would have the effect of expanding the prohibition, limitation, or effective prohibition, including, but not limited to, amendments that would reclassify the property's occupancy designation, reduce by more than one half of one percent (.5%) the total number of short-term rental unit permits in all or a portion of the local governing body's jurisdiction, or reduce the number of permits available to a property owner; and

(2) For purposes of determining land use or utility rates, when determining whether a property conforms to the requirements of a residential zone or residential use, a local governing body or a municipal utility shall not consider the renting of a residential dwelling as commercial activity, regardless of the term of the rental agreement. This subdivision (a)(2) shall not apply when determining classification of real property for property taxation purposes.

(b) Subsection (a) does not prohibit a local governing body from regulating property used as a short-term rental unit if the regulation does not prohibit, limit, or effectively prohibit the use of property as a short-term rental unit.

(c) This section is repealed on April 1, 2019.

**66-38-105.**



Within existing resources and as part of its duty to encourage and coordinate the efforts of organizations to promote tourism, the department of tourist development shall complete a review of the economic impact of short-term rental units on the tourism industry and the overall economy of Tennessee. On or before July 1, 2018, the department shall submit a written report of its findings and recommendations made pursuant to this section to the speakers of the house of representatives and the senate.

**66-38-106.**

Nothing in this chapter prohibits a condominium, co-op, homeowners association, or other similar entity from prohibiting or otherwise restricting an owner of property within the jurisdiction of the condominium, co-op, association, or other similar entity from using the owner's property as a short-term rental unit.

**66-38-107.**

This chapter applies only to a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census, but not the cities excluded from the metropolitan government in such county.

**66-38-108.**

If any provision of this chapter or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the chapter that can be given effect without the invalid provision or application, and to that end the provisions of this chapter shall be severable.

SECTION 2. Tennessee Code Annotated, Title 67, is amended by adding the following new chapter:

**67-11-101.** As used in this chapter:

- (1) "Department" means the department of revenue;
- (2) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings, or accommodations in a short-term rental unit;
- (3) "Online short-term rental unit marketplace" means any person or entity that provides a digital platform for compensation, through which a third party offers to rent a short-term rental unit to an occupant;

(4) "Sales price" has the same meaning as provided in § 67-6-102; but does not include a separately stated service fee imposed by an online short-term rental unit marketplace on a short-term rental unit transaction;

(5) "Short-term rental unit" means a residential dwelling, including a single-family dwelling or a unit in a multi-unit building, such as an apartment building, condominium, cooperative, or time-share, that is rented wholly or partially for a fee; and

(6) "Short-term rental unit transaction" means any transaction in which there is a charge to an occupant by a short-term rental unit provider for the occupancy of any short-term rental unit.

**67-11-102.**

The department may enter a written agreement with an online short-term rental unit marketplace whereby the online short-term rental unit marketplace agrees to register with the department for the collection and remittance of the tax set forth in chapter 6 of this title on the sales price of a short-term rental unit.

SECTION 3. Tennessee Code Annotated, Section 68-120-101(i), is amended by deleting the last sentence and substituting instead the following:

For purposes of this subsection (i), "hospitality services" means offering sleeping accommodations to transients for less than thirty (30) nights per stay and includes a short-term rental unit as defined by § 66-38-102.

SECTION 4. Tennessee Code Annotated, Section 68-120-112(a)(4)(B), is amended by deleting the language "inns" and substituting instead the language "inns, short-term rental units as defined by § 67-11-101,".

SECTION 5. Tennessee Code Annotated, Section 68-120-112(d)(2), is amended by adding the following sentence to the end of the subdivision:

The provider of a short-term rental unit, as defined by § 67-11-101, is responsible for performance of maintenance, repairs, and tests as are necessary to ensure that every smoke alarm and carbon monoxide alarm required in the short-term rental unit, as defined by § 67-11-101, is operational at all times.

SECTION 6. Tennessee Code Annotated, Section 68-120-112, is amended by adding the following new subsection:

(1) This section applies only to buildings:

(A) That existed before January 1, 2016; or

(B) Being used as a short-term rental unit, as defined by § 67-11-101, that existed before July 1, 2017.

(2) Smoke alarms and carbon monoxide alarms shall be installed and maintained in accordance with the applicable building construction safety standards as provided in § 68-120-101 in buildings constructed on or after:

(A) January 1, 2016; or

(B) July 1, 2017, if the building is being used as a short-term rental unit, as defined by § 67-11-101.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Marsh moved the previous question on House Amendment No. 10, which motion failed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 49 |
| Noes ..... | 38 |

Representatives voting aye were: Brooks H., Butt, Byrd, Calfee, Carter, Casada, Coley, Curcio, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Gravitt, Halford, Hawk, Hicks, Hill T., Holsclaw, Holt, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Rudd, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Terry, Tillis, Travis, Weaver, White D., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 49

Representatives voting no were: Akbari, Alexander, Beck, Brooks K., Camper, Carr, Clemmons, Cooper, Crawford, Dunn, Favors, Fitzhugh, Hardaway, Hazlewood, Hill M., Hulse, Jernigan, Johnson, Jones, Keisling, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Rogers, Sargent, Shaw, Stewart, Swann, Thompson, Towns, Turner, Van Huss, White M. -- 38

After further discussion, Rep. Holt moved the previous question on House Amendment No. 10, which motion failed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 51 |
| Noes ..... | 33 |

Representatives voting aye were: Brooks H., Butt, Byrd, Calfee, Coley, Curcio, Doss, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hicks, Hill T., Holsclaw, Holt, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, Moody, Powers, Ragan, Reedy, Rudd, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Swann, Terry, Tillis, Travis, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 51

Representatives voting no were: Akbari, Alexander, Beck, Brooks K., Camper, Carr, Casada, Clemmons, Cooper, Dunn, Favors, Hardaway, Hazlewood, Hill M., Hulse, Jernigan, Jones, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Rogers, Sargent, Shaw, Stewart, Thompson, Towns, Turner, Van Huss -- 33

## MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Mitchell moved that House Amendment No. 10 be tabled, which motion failed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 25 |
| Noes.....                   | 57 |
| Present and not voting..... | 3  |

Representatives voting aye were: Alexander, Beck, Carr, Casada, Dunn, Favors, Gravitt, Hardaway, Jernigan, Jones, Love, Lynn, McCormick, Mitchell, Moody, Parkinson, Pitts, Sargent, Shaw, Thompson, Turner, White M., Whitson, Wirgau, Madam Speaker Harwell -- 25

Representatives voting no were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Coley, Crawford, Curcio, Doss, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Hulsey, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Marsh, Matheny, McDaniel, Miller, Pody, Powers, Ragan, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., Williams, Zachary -- 57

Representatives present and not voting were: Clemmons, Powell, Rudd -- 3

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on the motion to table Amendment No. 10 to **House Bill No. 1020** and have this statement entered in the Journal: Rep. Stewart.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on the motion to table Amendment No. 10 to **House Bill No. 1020** and have this statement entered in the Journal: Rep. Clemmons.

### REGULAR CALENDAR, CONTINUED

Rep. Byrd moved the previous question on House Amendment No. 10, which motion failed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 59 |
| Noes.....  | 30 |

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Coley, Curcio, Doss, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, Miller, Moody, Pody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Sherrell, Sparks, Terry, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 59

Representatives voting no were: Akbari, Alexander, Beck, Camper, Casada, Clemmons, Cooper, Crawford, Dunn, Fitzhugh, Hardaway, Hazlewood, Hulsey, Jernigan, Jones, Love, Lynn, McCormick, Mitchell, Parkinson, Pitts, Sargent, Shaw, Smith, Staples, Stewart, Swann, Thompson, Turner, Whitson -- 30

## MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

After further discussion, Rep. Casada moved the previous question on House Amendment No. 10 , which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 58 |
| Noes.....                   | 28 |
| Present and not voting..... | 1  |

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Casada, Coley, Doss, Eldridge, Faison, Favors, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McDaniel, Miller, Moody, Pody, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Tillis, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 58

Representatives voting no were: Akbari, Alexander, Beck, Camper, Carr, Clemmons, Cooper, Crawford, Dunn, Farmer, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Keisling, Love, Lynn, McCormick, Mitchell, Parkinson, Pitts, Shaw, Stewart, Swann, Thompson, Towns, Turner -- 28

Representatives present and not voting were: Rudd -- 1

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the Previous Question on Amendment No. 10 of **House Bill No. 1020** and have this statement entered in the Journal: Rep. Terry.

### REGULAR CALENDAR, CONTINUED

On motion, House Amendment No. 10 was adopted by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 50 |
| Noes.....                   | 35 |
| Present and not voting..... | 2  |

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Coley, Curcio, Doss, Eldridge, Faison, Forgety, Gant, Goins, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Lamberth, Littleton, Lollar, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Weaver, White D., Williams, Wirgau, Zachary -- 50

Representatives voting no were: Alexander, Beck, Carr, Casada, Clemmons, Cooper, Crawford, Dunn, Farmer, Favors, Fitzhugh, Gilmore, Halford, Hardaway, Jernigan, Jones, Keisling, Kumar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Sargent, Stewart, Swann, Thompson, Towns, Turner, White M., Whitson, Madam Speaker Harwell -- 35

Representatives present and not voting were: Powell, Rudd -- 2

Rep. Carr moved adoption of House Amendment No. 7 as follows:

**Amendment No. 7**

AMEND House Bill No. 1020 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_.

(a) Prior to offering a short-term rental unit, a short-term rental unit provider must obtain and maintain any permits or business licenses that are required by the jurisdiction in which the unit is located.

(b) When offering a short-term rental unit for rent on the digital platform, an online short-term rental unit marketplace must include all applicable permit or business license numbers that are required to be obtained and maintained pursuant to subsection (a) with the short-term rental unit listing that is available to the public online.

(c) The terms "online short-term rental unit marketplace," "short-term rental unit," and "short-term rental unit provider" are as defined in § 67-11-101.

Rep. C. Sexton moved that House Amendment No. 7 be tabled, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 56 |
| Noes.....                   | 28 |
| Present and not voting..... | 2  |

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Crawford, Curcio, Doss, Eldridge, Faison, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Keisling, Lamberth, Littleton, Marsh, Matheny, McDaniel, Miller, Moody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Van Huss, Weaver, White D., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 56

Representatives voting no were: Akbari, Alexander, Beck, Camper, Carr, Clemmons, Cooper, Farmer, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Lollar, Love, Lynn, McCormick, Mitchell, Parkinson, Pitts, Pody, Shaw, Stewart, Swann, Thompson, Turner, Whitson -- 28

Representatives present and not voting were: Powell, White M. -- 2

Rep. Gravitt moved that House Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Marsh moved the previous question, which motion failed by the following vote:

Ayes ..... 58  
Noes..... 32

Representatives voting aye were: Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Curcio, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Miller, Moody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Swann, Tillis, Travis, Van Huss, Weaver, White D., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 58

Representatives voting no were: Akbari, Alexander, Beck, Brooks H., Camper, Carr, Clemmons, Cooper, Crawford, Dunn, Favors, Fitzhugh, Gilmore, Gravitt, Hardaway, Hulsey, Jernigan, Jones, Lollar, Love, Lynn, McCormick, Mitchell, Parkinson, Pitts, Pody, Shaw, Stewart, Thompson, Towns, Turner, White M. -- 32

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the Previous Question to **House Bill No. 1020** and have this statement entered in the Journal: Rep. Terry.

### **REGULAR CALENDAR, CONTINUED**

Rep. Dunn moved that **House Bill No. 1020** be re-referred to the Calendar and Rules Committee, which motion failed by the following vote:

Ayes ..... 41  
Noes..... 47  
Present and not voting..... 3

Representatives voting aye were: Alexander, Beck, Brooks H., Camper, Carr, Casada, Clemmons, Coley, Cooper, Dunn, Favors, Fitzhugh, Gilmore, Gravitt, Hardaway, Hazlewood, Hulsey, Jernigan, Jones, Keisling, Lollar, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Sargent, Smith, Staples, Stewart, Swann, Thompson, Towns, Turner, White M., Whitson, Zachary, Madam Speaker Harwell -- 41

Representatives voting no were: Brooks K., Butt, Byrd, Calfee, Carter, Crawford, Curcio, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Kumar, Lamberth, Littleton, Marsh, Matheny, McDaniel, Moody, Powers, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Terry, Tillis, Travis, Van Huss, Weaver, White D., Williams, Wirgau -- 47

Representatives present and not voting were: Powell, Ragan, Rudd -- 3

Rep. Byrd moved the previous question, which motion prevailed.

## MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. C. Sexton moved that **House Bill No. 1020**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|                             |    |
|-----------------------------|----|
| Ayes .....                  | 53 |
| Noes.....                   | 35 |
| Present and not voting..... | 3  |

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Coley, Curcio, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, McDaniel, Moody, Powers, Ragan, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Travis, Van Huss, Weaver, White D., Williams, Wirgau, Zachary -- 53

Representatives voting no were: Alexander, Beck, Carr, Casada, Clemmons, Cooper, Crawford, Dunn, Favors, Fitzhugh, Gilmore, Gravitt, Hardaway, Hulsey, Jernigan, Jones, Keisling, Love, Lynn, McCormick, Miller, Mitchell, Parkinson, Pitts, Pody, Sargent, Shaw, Staples, Stewart, Thompson, Towns, Turner, White M., Whitson, Madam Speaker Harwell -- 35

Representatives present and not voting were: Camper, Powell, Rudd -- 3

A motion to reconsider was tabled.

**\*House Bill No. 220** -- Railroads - As introduced, establishes a liability limit of \$10 million per occurrence or per claim for special passenger excursion train operated by a nonprofit sponsor; requires nonprofit sponsors of such trains to maintain liability insurance. - Amends amend TCA Title 29 and Title 65. by \*Ragan. (SB699 by \*Yager, \*Bowling)

Further consideration of House Bill No. 220, previously considered on May 5, 2017, at which time it was reset for today's Calendar.

### BILL RE-REFERRED

Rep. Ragan moved that **House Bill No. 220** be re-referred to the Calendar and Rules Committee, which motion prevailed.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 432** -- Criminal Offenses - As introduced, revises certain reckless endangerment provisions; establishes enhanced punishment for acts constituting "community terrorism." - Amends TCA Title 39, Chapter 13. by \*Hardaway, \*Rogers, \*Ramsey, \*Goins, \*Turner, \*Love, \*Lamberth, \*Stewart. (SB1278 by \*Norris)

Further consideration of House Bill No. 432, previously considered on May 5, 2017, at which time it was reset for today's Calendar.

Rep. Hardaway moved that House Bill No. 432 be passed on third and final consideration.



Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND House Bill No. 432 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-103(b), is amended by adding the following as a new subdivision (b)(4) and redesignating the current subdivision (b)(4) appropriately:

(A) Reckless endangerment under the circumstances set out in subdivision (b)(4)(B) is a Class E felony and shall be punished as an act of community terrorism, which includes, in addition to any period of confinement, the following:

(i) A minimum fine of five thousand dollars (\$5,000); and

(ii) Revocation of the driver license of a defendant for a period of five (5) years, to begin following any period of confinement imposed.

(B) Subdivision (b)(4)(A) applies to reckless endangerment committed by discharging a firearm:

(i) Into a group of two (2) or more people;

(ii) From within a motor vehicle, as defined by § 55-1-103; or

(iii) Into a motor vehicle, as defined by § 55-1-103.

(C) A person whose driver license has been revoked pursuant to subdivision (b)(4)(A)(ii) may apply to the court or any court of competent jurisdiction in the person's county of residence for a restricted driver license. The court may allow the issuance of a restricted driver license for the purpose of going to and from and working at the person's regular place of employment; going to and from the person's regular place of worship; and, in the case of a student enrolled full time in an institution of higher education, going to and from that institution. If the court issues the person a restricted license, the person may obtain a certified copy of the order and within ten (10) days after it is issued, present it, together with an application fee of sixty-five dollars (\$65.00), to the department of safety, which shall issue a restricted license embodying the limitations imposed in the order.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Hardaway moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 432 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-103(b), is amended by adding the following as a new subdivision (b)(4) and redesignating the current subdivision (b)(4) appropriately:

(A) Reckless endangerment under the circumstances set out in subdivision (b)(4)(B) is a Class E felony and shall be punished as an act of community terrorism, which includes, in addition to any period of confinement, the following:

(i) A minimum fine of five thousand dollars (\$5,000); and

(ii) Except as provided in subdivision (b)(4)(D):

(a) Revocation of the driver license for a period beginning on the date of conviction and continuing for a period of five (5) years following release from confinement, if the defendant had a valid driver license on the date of conviction for the offense; or

(b) A prohibition against the department issuing a driver license to the defendant for a period beginning on the date of conviction and continuing for a period of five (5) years following release from confinement, if the defendant did not possess a valid driver license at the time of conviction for the offense.

(B) Subdivision (b)(4)(A) applies to reckless endangerment committed by discharging a firearm:

(i) Into a group of two (2) or more people;

(ii) From within a motor vehicle, as defined by § 55-1-103; or

(iii) Into a motor vehicle as defined by § 55-1-103.

(C)

(i) Upon ordering the license revocation of the defendant pursuant to subdivision (b)(4)(A)(ii), the court shall submit a copy of the conviction, including the order for revocation of the driver license, to the department of safety.

(ii) Upon receipt of a conviction, the department shall revoke the defendant's driver license if the defendant had a valid license on the date of conviction. Except as provided in subdivision (b)(4)(D), the driver license shall not be reinstated or, if the defendant did not have a driver license on the date of conviction, issued until the five-year period following release from confinement has expired and the defendant submits documentation showing, to the satisfaction of the department, the date the defendant was released from confinement.

(D) A person whose driver license has been revoked or issuance prohibited pursuant to subdivision (b)(4)(A)(ii) may, upon release from confinement, apply to the court or any court of competent jurisdiction in the person's county of residence for a restricted driver license. The court may allow the issuance of a restricted driver license for the purpose of going to and from and working at the person's regular place of employment; going to and from the person's regular place of worship; and, in the case of a student enrolled full time in an institution of higher education, going to and from that institution. If the court orders the issuance of a restricted license, the person may obtain a certified copy of the order and, within ten (10) days after issuance of the order, present the order with an application fee of sixty-five dollars (\$65.00) to the department, which shall issue a restricted license embodying the limitations imposed in the order.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, House Amendment No. 3 was adopted.

Rep. Parkinson moved the previous question, which motion prevailed.

Rep. Hardaway moved that **House Bill No. 432**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 84 |
| Noes.....  | 0  |

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Wirgau, Zachary, Madam Speaker Harwell -- 84

A motion to reconsider was tabled.

**MONDAY, MAY 8, 2017 -- THIRTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Joint Resolution No. 37** -- Constitutional Amendments - Proposes an amendment to the Constitution of Tennessee recognizing that our liberties do not come from governments, but from Almighty God. by \*VanHuss, \*Butt, \*White M, \*Hulsey, \*Hill M, \*Keisling, \*Matlock, \*Calfee, \*Rudd, \*Rogers, \*Byrd, \*Howell, \*Sparks, \*Holt, \*Weaver, \*Sexton J, \*Goins, \*Brooks K, \*Moody, \*Zachary, \*Sherrell, \*Powers, \*Lamberth, \*Carter, \*Faison, \*Eldridge, \*Coley, \*Gant, \*Kane.

House Joint Resolution No. 37 was previously considered on May 1, 2017 and May 3, 2017, for the first two Constitutional readings and May 5, 2017 at which time it was reset for today's Calendar.

Rep. Van Huss requested that the Clerk read House Joint Resolution No. 37 for the third and final Constitutional reading, as perscribed by the Constitution of the State of Tennessee.

The Clerk read House Joint Resolution No. 37.

Rep. Marsh moved the previous question, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 65 |
| Noes.....  | 27 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, Moody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Swann, Terry, Tillis, Travis, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 65

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Shaw, Smith, Staples, Stewart, Thompson, Towns, Turner, Van Huss -- 27

Rep. Van Huss moved adoption of **House Joint Resolution No. 37**, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 69 |
| Noes.....  | 17 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, Moody, Pody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Swann, Terry, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Favors, Hardaway, Jernigan, Jones, Miller, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Turner -- 17

House Joint Resolution No. 37, having been read three separate times on three separate days, received a vote in the affirmative by a majority of the members elected to the Tennessee House of Representatives of the One Hundred Tenth General Assembly and was declared adopted pursuant to Article 11, Section 3 of the Constitution of the State of Tennessee.

A motion to reconsider was tabled.

## **MESSAGE CALENDAR**

### **HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Bill No. 74** -- Environment and Conservation, Department of - As introduced, removes obsolete reporting requirement concerning the status of a cooperative effort between the commissioner and owners of property located near a scenic river. - Amends TCA Title 4; Title 11 and Title 64. by \*Howell, \*Brooks K, \*Daniel. (SB466 by \*Bell, \*Gardenhire)

#### **Senate Amendment No. 3**

AMEND House Bill No. 74 by deleting subsection (b) from § 11-26-104 of the amendatory language of Section 1 and substituting instead the following:

(b)

(1) The board shall consist of nine (9) voting members as follows:

(A) The manager of the Hiwassee/Ocoee Scenic River State Park;

(B) The comptroller of the treasury, or the comptroller's designee;

(C) The state treasurer, or the treasurer's designee;

(D) The Polk County mayor;

(E) One (1) member, appointed by the governor, who represents economic development interests;

(F) One (1) member, appointed by the governor, who represents private boater interests; and

(G) Three (3) members, appointed by the governor, who are Ocoee River management zone commercial permit holders.

(2) The following shall serve as ex officio, nonvoting members of the board:

(A) The commissioner of environment and conservation, or the commissioner's designee;

(B) The commissioner of tourism, or the commissioner's designee;

(C) The commissioner of economic and community development, or the commissioner's designee;

(D) The executive director of the wildlife resources agency, or the executive director's designee;

(E) The member of the house of representatives whose legislative district includes the majority of the Ocoee River management zone; and

(F) The member of the senate whose legislative district includes the majority of the Ocoee River management zone.

**AND FURTHER AMEND** by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-29-240(a), is amended by adding the following as a new subdivision:

( ) Ocoee River recreation and economic development fund board, created by § 11-26-104;

Rep. K. Brooks moved that the House concur in Senate Amendment No. 3 to **House Bill No. 74**, which motion prevailed by the following vote:

|            |    |
|------------|----|
| Ayes ..... | 88 |
| Noes ..... | 1  |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jernigan, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madam Speaker Harwell -- 88

Representatives voting no were: Clemmons -- 1

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGES**

**\*House Bill No. 671** -- Election Laws - As introduced, authorizes certain members of a board of public utilities to serve as a member of a county election commission; prescribes the process for certifying new voting systems for use in this state. - Amends TCA Section 2-1-112 and Section 2-9-117. by \*Carr . (SB925 by \*Ketron, \*Yager)

Rep. Carr moved that **House Bill No. 671** be reset for the the next available Message Calendar, which motion prevailed.

**UNFINISHED BUSINESS**

**CLERK'S NOTE TO THE JOURNAL**

Without objection, the Speaker announced Rep. Jernigan would replace Rep. DeBerry as a member of the House Conference Committee for **House Bill No. 192**.

**RULES SUSPENDED**

Rep. Casada moved that the rules be suspended in order to allow **House Bills Nos. 1453** and **1454** to be heard in the Local Government Committee this week, which motion prevailed.

**RULES SUSPENDED**

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 1169** to be heard in the Education Instruction and Programs Committee this week, which motion prevailed.

**RULES SUSPENDED**

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 261** to be heard in the Finance, Ways & Means Committee this week, which motion prevailed.

**RULES SUSPENDED**

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 55** to be heard in the Finance, Ways & Means Subcommittee this week, which motion prevailed.

**CLERK'S NOTE TO JOURNAL**

Pursuant to **Rule No. 20**, Rep. Howell was excused from Session on Monday, May 8, 2017.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 93** Rep. K. Brooks as prime sponsor.

**House Bill No. 403** Rep. Carter as prime sponsor.

**House Bill No. 452** Reps. Carter and Keisling as prime sponsors.

**House Bill No. 466** Rep. Carter as prime sponsor.

**House Bill No. 553** Reps. Gilmore and Miller as prime sponsors.

**House Bill No. 810** Reps. Carter and Gilmore as prime sponsors.

**House Bill No. 901** Reps. C. Sexton, Wirgau, Byrd, J. Sexton, Gravitt, Alexander, Towns, Sherrell, Reedy, Van Huss, DeBerry, Smith, Kane, M. Hill, T. Hill, Doss, Swann, Carter, Farmer, H. Brooks, Shaw, Ramsey, Littleton, Lamberth, Love, Hardaway, Calfee, Jernigan, Staples, Pitts, Rogers, Weaver, Butt and D. White as prime sponsors.

**House Bill No. 980** Reps. K. Brooks, Miller and Love as prime sponsors.

**House Bill No. 1169** Rep. Swann as First prime sponsor.

**House Bill No. 1221** Rep. Williams as prime sponsor.

**House Bill No. 1353** Rep. Johnson as prime sponsor.

**House Bill No. 1368** Rep. K. Brooks as prime sponsor.

**ENROLLED BILLS  
May 8, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 99, 1164 and 1289; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS  
May 8, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165 and 166; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk



**SIGNED  
May 8, 2017**

The Speaker announced that she had signed the following: House Resolutions Nos. 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165 and 166.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
May 8, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 460, 461, 462, 463, 464 and 465; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR  
May 8, 2017**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417 and 418; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**ENGROSSED BILLS  
May 8, 2017**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 441, 511, 512, 513, 514, 760, 812, 992, 1320 and 1322.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS  
May 8, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 167; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
May 8, 2017**

The Speaker announced that she had signed the following: House Resolution No. 167.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
May 8, 2017**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 224, 511, 512, 513, 514, 1434, 1438, 1439, 1441, 1444, 1447, 1448, 1449, 1450 and 1451; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
May 8, 2017**

The Speaker announced that she had signed the following: House Bills Nos. 99, 1164 and 1289.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS  
May 8, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 74; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS  
May 8, 2017**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 392, 432, 1020 and 1209; also House Joint Resolutions Nos. 37, 559, 560, 561 and 562.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
May 8, 2017**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 466, 467, 468, 469, 470, 471, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500 and 528; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**PRESENT IN CHAMBER**

Rep. Wirgau was recorded as being present in the Chamber.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 86

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Clemmons, Coley, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, White D., White M., Whitson, Williams, Zachary, Madam Speaker Harwell -- 86

**RECESS**

On motion of Rep. Casada, the House stood in recess until 2:00 p.m., Tuesday, May 9, 2017.